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PATENTS

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re: Application of: **Karnosky et al.**

Docket No. 16313-0093

Serial No. **10/057,609**

Filed: **January 24, 2002**

For: **Transgenic Trees Having Increased Resistance to Imidazolinone Herbicides**

Attention: Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

**RESPONSE TO NOTICE TO FILE MISSING PARTS – FILING DATE GRANTED**

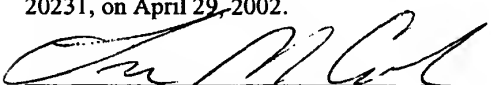
Transmitted herewith are papers in the above-identified application.

- ☒ Part 2- Return Copy – Notice to File Missing Parts of Application – Filing Date Granted.
- ☒ Executed Declaration and Power of Attorney (3).
- ☒ Sequence Identification Listing – an initial paper and computer readable form.
- ☒ Statement Accompanying Sequence Identification Listing.
- ☒ Preliminary Amendment requesting entry of Sequence Identification Listing.
- ☒ Formal figures (1A-3C; 6 sheets).
- ☒ Request for one month extension of time.
- ☒ The additional fee is calculated as shown below.


| SMALL ENTITY  |           |           |      |         | OTHER THAN<br>SMALL ENTITY |          |
|---|-----------|-----------|------|---------|----------------------------|----------|
| FOR:  | NO. FILED | NO. EXTRA | RATE | FEE     | RATE                       | FEE      |
| BASIC FEE   |           |           |      |         |                            |          |
| TOTAL CLAIMS  |           |           |      |         |                            |          |
| INDEP. CLAIMS   |           |           |      |         |                            |          |
| <input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED           |           |           |      |         |                            |          |
| <input checked="" type="checkbox"/> LATE-FILING SURCHARGE             |           |           |      | +130.00 | 130.00                     | 130.00   |
| <input type="checkbox"/> FOREIGN LANGUAGE SURCHARGE                   |           |           |      |         |                            |          |
| <input checked="" type="checkbox"/> OTHER One Month Extension of Time |           |           |      | +110.00 | 110.00                     | 110.00   |
|   |           |           |      | TOTAL   | TOTAL                      | \$240.00 |

- ☒ Checks in the amount of \$130.00 and \$110.00 are attached.
- ☒ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16, or credit any overpayment, to Account No. 19-5029. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on April 29, 2002.

  
Lisa M. Cobern– Reg. No. 44,669

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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/057.609         | 01/24/2002          | David F. Karnosky     | 16313-0093             |

CONFIRMATION NO. 2922

FORMALITIES LETTER



\*OC000000007527417\*

Lisa M. Cobern  
SUTHERLAND ASBILL & BRENNAN LLP  
999 Peachtree Street, NE  
Atlanta, GA 30309-3996

Date Mailed: 02/25/2002

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

05/09/2002 BAERHA1 00000112 10057609

FILED UNDER 37 CFR 1.53(b)

01 PC:105

130.00 DP

**Filing Date Granted**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- **For Rules Interpretation, call (703) 308-4216**

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*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE